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*Attorney for Defendant, Jan Rouven Fuechtener*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAN ROUVEN FUECHTENER,

Defendant.

CASE NO.: 2:16-CR-100-GMN-CWH

**STIPULATION TO CONTINUE  
SENTENCING HEARING**

IT IS HEREBY STIPULATED AND AGREED, by and between Elham Roohani and Lisa C. Cartier-Giroux, Assistant United States Attorneys, counsel for the United States of America, and Karen A. Connolly, counsel for Defendant JAN ROUVEN FUECHTENER, that the sentencing hearing currently scheduled for June 30, 2017, at the hour of 10:30 a.m., be vacated and continued for approximately 30 days, but not between July 10-14, July 28-August 10, or August 24-25.

This Stipulation is entered into for the following reasons:

1. The parties agree to the continuance for the following reasons: Defendant is filing a motion to withdraw the guilty plea agreement; on June 2, 2017 a *Report & Recommendation* was filed by the magistrate recommending that the sentencing hearing be continued to allow for sufficient time for briefing, an evidentiary hearing, and a subsequent report and recommendation on the ownership and control of the \$975,300 proceeds from the sale of a residence at 7080 Donald Nelson Avenue, Las Vegas, NV 89131. The hearing has been set for July 6, 2017.

2. The additional time requested herein is not sought for purposes of delay.

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1 3. Additionally, denial of this request for continuance could result in a miscarriage of  
2 justice.

3 4. This is the third request to continue the sentencing date.

4 DATED this 16<sup>th</sup> day of June, 2017.

5 KAREN A. CONNOLLY, LTD.

DANIEL G. BOGDEN  
United States of America

6  
7 /s/ Karen A. Connolly

KAREN A. CONNOLLY

8 Counsel for Jan Rouven Fuechtener

/s/ Elham Roohani

ELHAM ROOHANI

LISA C. CARTIER-GIROUX

Assistant United States Attorneys

Counsel for Plaintiff

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAN ROUVEN FUECHTENER,

Defendant.

CASE NO.: 2:16-cr-100-GMN-CWH

**FINDINGS OF FACT, CONCLUSIONS  
OF LAW AND ORDER**

**FINDINGS OF FACT**

Based on the Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. The parties agree to the continuance for the following reasons: Defendant is filing a motion to withdraw the plea agreement; on June 2, 2017 a *Report & Recommendation* was filed by the magistrate recommending that the sentencing hearing be continued to allow for sufficient time for briefing, an evidentiary hearing, and a subsequent report and recommendation on the ownership and control of the \$975,300 proceeds from the sale of a residence at 7080 Donald Nelson Avenue, Las Vegas, NV 89131. The hearing has been set for July 6, 2017.

2. The additional time requested herein is not sought for purposes of delay.

3. Additionally, denial of this request for continuance could result in a miscarriage of justice.

4. This is the third request to continue the sentencing date.

For all of the above-stated reasons, the ends of justice would best be served by a continuance of the sentencing.

**CONCLUSIONS OF LAW**

The ends of justice served by granting said continuance outweigh the best interest of the public and the defendant in a speedy trial, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for sentencing, taking

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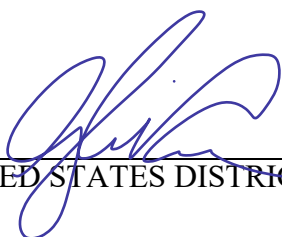
1 into account the exercise of due diligence.

2 The continuance sought herein is excusable under the Speedy Trial Act, title 18, United States  
3 Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code, Section  
4 3161(h)(7)(B(i), (iv).

5 **ORDER**

6 IT IS THEREFORE ORDERED that the Sentencing Hearing currently scheduled for June  
7 30, 2017, at the hour of 10:30 a.m., be vacated and set continued to Friday, August 18, 2017 at  
8 the hour of 9:00 a.m.

9 DATED this 19 day of June 2017.

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12 UNITED STATES DISTRICT JUDGE  
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